

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ROSEMARY SUSKO, an individual  
and ROSEMONT MANOR, LLC,

Plaintiffs,

v.

Civil Action No. 5:07CV144  
(STAMP)

COX ENTERPRISES, INC. and  
WTOV9, INC.,

Defendants.

**ORDER DIRECTING ROSEMONT MANOR, LLC TO RETAIN COUNSEL**

On November 7, 2007, the plaintiffs, Rosemary Susko and Rosemont Manor, LLC filed a pro se<sup>1</sup> complaint against Cox Enterprises and WTOV9, Inc. While Rosemary Susko, as an individual, may proceed pro se, this is not the case with Rosemont Manor, LLC. It is well-settled that a corporation must be represented by an attorney in federal court. See Nat'l Indep. Theatre Exhibitors, Inc. v. Buena Vista Distribution Co., 748 F.2d 602, 609 (11th Cir. 1984), cert. denied, 471 U.S. 1056 (1985); Jones v. Niagara Frontier Transp. Auth., 722 F.2d 20, 22 (2d Cir. 1983); Richdel, Inc. v. Sunspool Corp., 699 F.2d 1366, 1366 (Fed. Cir. 1983). Based upon this principle, a failure by Rosemont Manor, LLC to retain counsel within the time frame ordered by this Court may force the Court to review its options, including default judgment against Rosemont Manor, LLC for failure to comply with

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<sup>1</sup>Pro se - "One who represents oneself in a court proceeding without the assistance of a lawyer." Black's Law Dictionary 1237 (7th ed. 1999).

this order or to appear by counsel. Accordingly, Rosemont Manor, LLC shall retain counsel, and shall notify this Court of the retention of counsel, within 30 days of the date of the entry of this order.

IT IS SO ORDERED.

The Clerk is directed to transmit copies of this order to the pro se plaintiff and to counsel of record herein.

DATED: December 18, 2007

/s/ Frederick P. Stamp, Jr.  
FREDERICK P. STAMP, JR.  
UNITED STATES DISTRICT JUDGE